CHAPTER IV.

PROCESS-FEES.

Rules as to costs of processes.

20. The High Court shall, as soon as may be, make rules[1] as to the following matters[2]:—

i. the fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil [3][and Revenue] Courts established within the local limits of such jurisdiction;

ii. the fees chargeable for serving and executing processes issued by the Criminal Courts established within

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[1] As to the power to make rules and prescribe fees for processes in Lower Burma, *see* the Lower Burma Courts Act, 1900 (6 of 1900), s. 41. As to power of the Judicial Commissioner to make rules and regulate the fees to be paid for civil processes in Upper Burma, *see* the Upper Burma Civil Courts Regulation, 1896 (1 of 1896), s. 30 (*1*) (*a*), Bur. Code. As to power of the Bombay High Court to prescribe fees for processes issued by Courts constituted under the Bombay Civil Courts Act, 1869 (14 of 1869), *see* s. 42 of that Act, Bom. Code, Vol. I. As to computation of certain fees on applications under s. 17 of the Agra Tenancy Act, 1901 (U. P. Act 2 of 1901), *see* U. P. Code, Vol. II.

As to power of Chief Commissioner of British Baluchistan to make rules and prescribe fees, *see* the British Baluchistan Criminal Justice Regulation, 1896 (8 of 1896), s. 20 (*1*) (*a*), and the British Baluchistan Civil Justice Regulation, 1896 (IX of 1896), s. 92 (*a*), Bal. Code.

[2] For notifications issued under the powers conferred by this section in—

Ajmer-Merwara in conjunction with s. 22	*see* Aj. R. and O., Vol. I.
Bombay	*see* Bom. R. and O., Vol. I.
Burma	*see* Burma Gazette, 1900, Pt. I, p. 325.
Madras	*see* Mad. R. and O., Vol. I.
United Provinces of Agra and Oudh	*see* United Provinces R. and O., Vol. I, and U. P. Gazette, 1904, Pt. I, p. 261.

For rules as to fees for serving and executing processes in the U. P., *see* U. P. of Agra and Oudh Gazette, 1903, Pt. I, p. 45.

For rules by Judicial Commissioner, Oudh, as to refund of process-fees by Revenue Courts, *see* U. P. Gazette, 1902, Pt. I, p. 708.

For Revenue Courts in Oudh, *see* U. P. Gazette, 1903, Pt. I, p. 46, and *ibid*, 1904, Pt. I, p. 261.

Central Provinces. *see* Cen. Pro. R. and O., and Central Provinces Gazette, 1902, Pt. II, p. 466, and *ibid*, 1904, Pt. III, p. 373 (as to criminal processes).

[3] In the Punjab, the words "and revenue" are repealed, *see* the Punjab Land-revenue Act, 1887 (17 of 1887), Punj. and N.-W. Code.

within such limits in the case of offences other than offences for which police-officers may arrest without a warrant; and

iii. the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The High Court may from time to time alter and add to the rules so made.

Confirmation and publication of rules.

All such rules, alterations and additions shall, after being confirmed by the Local Government and sanctioned by the Governor General of India in Council, be published in the local official Gazette, and shall thereupon have the force of law.

Until such rules shall be so made and published, the fees now leviable for serving and executing processes shall continue to be levied, and shall be deemed to be fees leviable under this Act.

Tables of process-fees.

21. A table in the English and Vernacular languages, showing the fees chargeable for such service and execution, shall be exposed to view in a conspicuous part of each Court.

Number of peons in District and subordinate Courts.

22. Subject to [1] rules to be made by the High Court and approved by the Local Government and the Governor General of India in Council,

every District Judge and every Magistrate of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto,

and

[1] For rules made under the powers conferred by this section in—

Ajmer-Merwara	*see* Aj. R. and O., Vol. I.
Assam, by the High Court, Calcutta	*see* Assam Gazette, 1902, Pt. IIA, p. 824.
Bombay	*see* Bom. R. and O., Vol. I.
Madras	*see* Mad. R. and O., Vol. I, and Fort St. George Gazette, 1901, Pt. I, p. 1904.
United Provinces of Agra and Oudh	*see* United Provinces R. and O., Vol. I.
Central Provinces	*see* Cent. Prov. R. and O.

As to Burma, *cf.* s. 41 of the Lower Burma Courts Act, 1900 (6 of 1900).

(Chapter IV.—Process-fees.—Sections 23-24. Chapter V.—Of the Mode of Levying Fees.—Sections 25-26.)

Number of peons in Mofussil Small Cause Courts.

and for the purposes of this section, every Court of Small Causes established under [1]Act No. XI of 1865 (*to consolidate and amend the law relating to Courts of Small Causes beyond the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature*) shall be deemed to be subordinate to the Court of the District Judge.

Number of peons in Revenue Courts.

[2]23. Subject to [3]rules to be framed by the Chief Controlling Revenue-authority and approved by the Local Government and the Governor General of India in Council, every officer performing the functions of a Collector of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.

24. [*Process served under this Chapter to be held to be process within meaning of Code of Civil Procedure.*] *Rep. by the Repealing and Amending Act, 1891 (XII of 1891).*

CHAPTER V.

OF THE MODE OF LEVYING FEES.

Collection of fees by stamps.

25. All fees referred to in section 3 or chargeable under this Act shall be collected by stamps.

Stamps to be impressed or adhesive.

26. The stamps used to denote any fees chargeable under this Act shall be impressed or adhesive or partly impressed and partly adhesive, as the Governor

[1] The reference to Act XI of 1865 should now be read as the Provincial Small Cause Courts Act, 1887 (9 of 1887), s. 2 (2) and (3), Genl. Acts, Vol. IV.

[2] In the Punjab, s. 23 is repealed—*see* the Punjab Land-revenue Act, 1887 (17 of 1887), Punj. and N.-W. Code.

[3] For rules framed under the powers conferred by this section in—

Assam . .	*see* Assam M. R. and O.
Central Provinces .	*see* Cen. Prov. Gazette, 1905, Pt. III, p. 570.
Madras . .	*see* Mad. R. and O., Vol. 1.

As to Burma *cf.* s. 41 of the Lower Burma Courts Act, 1900 (6 of 1900).